

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 25-8149-BER

UNITED STATES OF AMERICA

v.

FRANCISCO LOPEZ-CHAJ

Defendant. /

CRIMINAL COVER SHEET

1. Did this matter originate from a matter pending in the Northern Region of the United States Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Mills Maynard)? Yes No
2. Did this matter originate from a matter pending in the Central Region of the United States Attorney's Office prior to October 3, 2019 (Mag. Judge Jared M. Strauss)? Yes No
3. Did this matter involve the participation of or consultation with Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? Yes No
4. Did this matter involve the participation of or consultation with now Magistrate Judge Marty Fulgueira Elfenbein during her tenure at the U.S. Attorney's Office, which concluded on March 5, 2024? Yes No

Respectfully submitted,

HAYDEN P. O'BYRNE
UNITED STATES ATTORNEY

BY: Marc Osborne

MARC OSBORNE
ASSISTANT UNITED STATES ATTORNEY
District Court No. A5500796
500 South Australian Avenue, Suite 400
West Palm Beach, Florida 33401
Tel: (561) 820-8711
Fax: (561) 820-8777
Email: Marc.Osborne@usdoj.gov

**AFFIDAVIT
OF
ANDY KORZEN
UNITED STATES DEPARTMENT OF HOMELAND SECURITY
IMMIGRATION AND CUSTOMS ENFORCEMENT**

I, Andy Korzen, being duly sworn, depose and state as follows:

1. I am a Deportation Officer with the Immigration and Customs Enforcement (ICE) and have been so employed for over twenty-one years. I am currently assigned to the ICE Enforcement and Removal Operations, West Palm Beach, Florida. My duties and responsibilities include enforcing criminal and administrative immigration laws of the United States. I have also conducted and participated in investigations of this nature.

2. This affidavit is based upon my own knowledge as well as information provided to me by other law enforcement officers. This affidavit does not set forth every fact known to me regarding the investigation but only those facts necessary to establish probable cause to believe that Francisco LOPEZ-CHAJ committed the offense of illegal re-entry after removal, in violation of Title 8, United States Code, Section 1326(a).

3. On or about March 21, 2025, Francisco LOPEZ-CHAJ was arrested in Palm Beach County, Florida on charge of domestic battery. He was booked and detained at the Palm Beach County Jail.

4. A review of the immigration records shows that Francisco LOPEZ-CHAJ is a native and citizen of Guatemala. Records further shows that on or about May 29, 2016, Francisco LOPEZ-CHAJ was ordered removed. The Order of Removal was executed on or about June 3, 2016, whereby Francisco LOPEZ-CHAJ was removed from the United States and returned to Guatemala.

5. Francisco LOPEZ-CHAJ's fingerprints taken in connection with his March 21, 2025, arrest in Palm Beach County were scanned into the IAFIS system. Results confirmed that scanned fingerprints belong to the individual who was previously removed from the United States, that is Francisco LOPEZ-CHAJ.

6. A record check was performed in the Computer Linked Application Informational Management System to determine if Francisco LOPEZ-CHAJ filed an application for permission to reapply for admission into the United States after deportation or removal. After a search was performed in that database system, no record was found to exist indicating that Francisco LOPEZ-CHAJ obtained consent from the Attorney General of the United States or from the Secretary of Homeland Security, for re-admission into the United States as required by law.

7. Based on the foregoing, I submit that probable cause exists to believe that, on or about March 21, 2025, Francisco LOPEZ-CHAJ, an alien who has previously been deported and removed from the United States, was found in the United States without having received the express consent from the Attorney General or the Secretary of the Department of Homeland Security for re-admission into the United States, in violation of Title 8, United States Code, Section 1326(a).



Andy Korzen
Deportation Officer
Immigration and Customs Enforcement

Sworn and Attested to me by Applicant by Telephone (Facetime) pursuant to Fed. R. Crim. P. 4(d) and 4.1 this _____ day of March 2025.

Digitally signed
by Bruce Reinhart
Date: 2025.03.24
13:15:57 -04'00'

BRUCE E. REINHART
UNITED STATES MAGISTRATE JUDGE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: Francisco Lopez-Chaj

Case No: _____

Count #: 1

Illegal re-entry into the United States after deportation or removal

8 U.S.C. § 1326(a)

* Max. Term of Imprisonment: 2 years
* Mandatory Min. Term of Imprisonment (if applicable): N/A
* Max. Supervised Release: 2 years
* Max. Fine: \$250,000

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.